

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

HEADWATER RESEARCH LLC

Plaintiff,

v.

SAMSUNG ELECTRONICS CO., LTD and
SAMSUNG ELECTRONICS AMERICA, INC.,

Defendants.

Case No. 2:22-CV-00422-JRG-RSP

**NOTICE REGARDING THE COURT’S DECEMBER 23, 2024 ORDER
AND STATUS REPORT**

In furtherance to the parties’ Joint Motion for Continuance (D.I. 466) and in accordance with the Court’s order during the corresponding December 23, 2024 telephonic hearing on that motion, Samsung files this status update relating thereto.

During the December 23, 2024 telephonic hearing on the parties’ Joint Motion for Continuance, the Court instructed Samsung to contact the Administrative Law Judge (“ALJ”) presiding over ITC Investigation No. 337-TA-1400 in order to explore a postponement and/or scheduling accommodation of the trial in that Investigation as a means to address the conflict concerning Samsung’s sole technical expert in this case, Dr. Dan Schonfeld, who is currently scheduled to testify as an expert in both the -1400 Investigation and this case during the same trial week.

In compliance with the Court’s oral instructions, earlier this afternoon, Samsung wrote Administrative Law Judge Doris J. Hines—the ALJ presiding over the -1400 Investigation—along with two associated ITC Attorney Advisors to explore a scheduling accommodation for the -1400 Investigation. Ex. 1. Before doing so, Samsung also contacted counsel for both the Complainant

and Respondent in that investigation, such that Samsung could obtain their positions on Samsung's request and inform the ALJ of the same. Ex. 1 at Exs. A and B. In conjunction with sending the letter to the ALJ, and in an attempt to expedite its consideration, Samsung counsel also called the ITC Attorney Advisor to alert him to the emailed letter.

Shortly thereafter, ALJ Hines issued the attached order, instructing Complainant and Respondent to "confer as best as possible and file their respective positions on possible solutions no later than COB Thursday December 26, 2024." Ex. 2.

Just after receiving ALJ Hines' Order, and while in the process of drafting this notice, Samsung received Order No. 468 from the Court, providing additional instructions regarding Samsung's ordered communications with the ITC. Samsung asks that its communication of earlier this afternoon to the ITC suffice to satisfy Order No. 468. ALJ Hines has ordered the parties to state their positions on December 26, and Samsung will immediately report each filing.

Samsung appreciates the Court's further consideration of the parties' Joint Motion. Samsung will continue to update the Court with any further information from the ITC.

Dated: December 23, 2024

Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing document was filed electronically in compliance with Local Rule CV-5 on December 23, 2024. As of this date, all counsel of record had consented to electronic service and are being served with a copy of this document through the Court's CM/ECF system under Local Rule CV-5(a)(3)(A).

/s/ Ruffin B. Cordell
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